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C O N F I D E N T I A L SECTION 01 OF 03 MANAMA 000476

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TAGS: [PGOV](#) [KJUS](#) [ASEC](#) [BA](#) [POL](#)

SUBJECT: COURT CASE AGAINST ACTIVISTS DROPPED, BUT CLASHES  
FLARE UP ANYWAY

REF: MANAMA 0096

Classified By: DCM Susan L. Ziadeh for reasons 1.4 (b) and (d).

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Summary  
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¶1. (C) In a dramatic development, King Hamad May 18 announced that he had ordered the public prosecution to drop its legal case against political activists Hassan Mushaima, Abdul Hadi Al Khawaja, and Shaker Abdul Hussein. The defendants had been charged with promoting change to the political system through illegitimate means, inciting hatred of the political system, and harming the public interest. Shia political society Al Wifaq leader and MP Shaikh Ali Salman, who was meeting with the King when he made the announcement, publicly thanked the King for his gesture and said it would help bolster national unity. Despite the move, clashes between Shia protesters and security forces broke out May 19 and continued the nights of May 20 and 21 in Shia areas in various parts of the country. Salman and a prominent human rights organization appealed for calm and the clashes tapered off since the 21st. Deputy PM Shaikh Mohammed bin Mubarak, in a May 22 meeting with the Ambassador, was strongly critical of the demonstrators, saying they were trying to sabotage Bahrain's democratic and economic development. End Summary.

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King Orders Case Dropped  
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¶2. (U) During a May 18 meeting with leading Shia opposition political society Al Wifaq Secretary General and MP Shaikh Ali Salman, King Hamad announced that he had ordered the public prosecution to drop the government's case against three Shia activists. Hassan Mushaima, leader of the Shia rejectionist Haq Movement; Abdul Hadi Al Khawaja, head of the dissolved Bahrain Center for Human Rights; and Shaker Abdul Hussein, an independent activist, were to face charges of promoting change to the political system through illegitimate means, inciting hatred of the political system, and harming the public interest in a trial set to begin on May 21. A fourth charge of insulting the leadership had already been dropped.

¶3. (U) Mushaima, Al Khawaja, and Abdul Hussein had been arrested in early February for delivering speeches during Ashoura celebrations in January criticizing the ruling family

and government. They were released the same day of their arrest following violent demonstrations in Shia population centers across the country (reftel). In the run-up to the opening of the trial, the government and people had been bracing for more violent confrontations. Mushaima said publicly on May 17 that he and his co-defendants would boycott the court session, saying that their fate had already been sealed. "This is a political trial. We won't bow to anyone except God. When things become fair in this country, then we would consider showing up for a fair trial," Mushaima said.

14. (U) In the meeting with Salman, the King expressed his hope that violations such as those allegedly committed by the accused would not be repeated. Salman thanked the King for his gesture, which he said would help bolster national unity.

The King also recognized Al Wifaq's political role and support for the political reform project. In a statement issued later by Al Wifaq, the organization said the King's decision to drop the case is a "positive step toward solving all pending issues. We have spared no effort at all levels to free Mushaima." Some observers have commented that Al Wifaq is claiming credit for getting the charges dropped against Mushaima, a former founding member and leader of Al Wifaq, in order to regain some of the influence it has lost in recent months among Shia youth.

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But Violent Protests Erupt  
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15. (U) Despite expectations that the King's order to drop the case against the activists would stabilize the security

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situation, violent clashes and incidents continued after the order. On May 19, secular opposition political society Al Waad President Ibrahim Sharif was injured while security forces dispersed participants at a rally in the village of Nuwaidrat. He said he was hit in the knee by a rubber bullet and in the shoulder by a tear gas canister, but a later medical exam revealed no serious injuries. According to Sharif, the rally was held to support Mushaima and his co-defendants, and was a peaceful gathering featuring speeches by political figures, two of whom Sharif called elderly. An Interior Ministry official told the press that the gathering was illegal and when those present did not comply with an order to depart, "the forces dealt with them as necessary to disperse them within the law." The clashes resulted in several participants and one police officer being injured and a fire that damaged a bakery and a few more shops. Later that night, rioters exploded a gas cylinder under an electricity tower in a nearby village.

16. (U) Protesters and police clashed again the night of May 20 in Mushaima's home village of Jidhafs and other nearby towns. Demonstrators burned tires and dumpsters and threw Molotov cocktails while police tried to enter the villages to clear the roads and drive away protesters. Executive Director of the dissolved Bahrain Center for Human Rights Nabeel Rajab said, "We call on the authorities to allow the exercise of public freedoms, such as speech, the press, and peaceful assembly, and to reform laws and regulations that are contrary to human rights standards." The next night, May 21, three policeman were injured when masked assailants hurled Molotov cocktails at their patrol car, setting it ablaze. The Interior Ministry issued a statement describing the incident as a terrorist attack.

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Statements Call for Calm  
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17. (U) In an effort to calm the situation, Al Wifaq's Salman and the Bahrain Human Rights Society (BHRS) issued statements calling on both sides to stop the cycle of violence. Salman

said at a press conference May 21, "We deplore the dramatic development of the situation and we do not believe that any sensible person would like it to continue. There are serious consequences to the current stand-off between the police and the rioters and everyone is suffering." He said that the clashes needed to end, asserting that their continuation could undermine stability and have a negative effect on the economy. "The whole nation will suffer from the possible flight of investments.... It will not be just the government that will suffer, but also investors, employees, and the unemployed." He stated that, "People should know that misunderstandings and divergences should be addressed only politically and peacefully because those who believe that they can twist the arm of the government are wrong, particularly because no religious leader has condoned the acts of arson and blowing up gas cylinders."

18. (U) The BHRS May 21 reacted strongly against what it termed "excessive use of force by police to disperse a peaceful meeting," a reference to the Nuwaidrat incident. "The strong intervention by the public security forces in Nuwaidrat and their use of rubber bullets and tear gas could put people's lives in danger and violate their rights to life." BHRS also criticized the arson attacks and sabotage, saying that they violated private property rights and threatened people's lives. "We really need everybody to calm down, start a dialogue, engage in peaceful activities, and broaden freedom of expression and peaceful rallies," the society said. Since the night of May 21, the security scene has been mostly calm.

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Deputy PM Critical of Shia Youth  
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19. (C) In a May 22 meeting with the Ambassador, Deputy Prime Minister Shaikh Mohammed bin Mubarak Al Khalifa strongly criticized the protesters, saying that they are trying to sabotage Bahrain's democratic and economic development. "There is no one in prison now, so what are they demonstrating about," he asked. Shaikh Mohammed said that the United States should publicly criticize what the Shia

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youth are doing. He also advised that the U.S. should not push too hard on democratic reform, adding that "We don't want another Lebanon in Bahrain in the name of democracy."

110. (C) Al Wifaq MP Jassim Hussein told Pol/Econ Chief May 20 that Al Wifaq had been in contact with the highest levels of government, including the King and Minister of Royal Court Shaikh Khalid bin Ahmed Al Khalifa about the Mushaima legal case since it started in February. Both sides had intentionally avoided any publicity so as to retain their ability to maneuver. Hussein said Al Wifaq had expected the case to go to trial and, upon the conviction of the accused, the King would pardon them. Al Wifaq was surprised that the King had acted before the trial began, and Hussein termed the King's decision "a smart move."

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Commentators Weigh In  
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111. (U) Writing in Arabic daily Akhbar Al Khaleej May 20, editor-in-chief Anwar Abdul Rahman praised Ali Salman for acting as an intermediary in the legal case, and the King for issuing the order to drop the case for the sake of national unity. Abdul Rahman said that there is a silent majority that cares about the stability of the country but that it cannot be heard amid all the shouting and noises. Al Watan columnist Sawsan Al Shaer writes May 24 that the law must be applied against those who instigate violence in the villages. She wonders why activists such as Mushaima do not "deter the youth" from burning tires and attacking a police vehicle. She argues that Mushaima uses laws when it suits his needs

but shows his disrespect for the legal system by not speaking out against violence.

¶12. (U) Blogger Mahmood Al Yousif complained May 20 that the Ministry of Interior was reverting to heavy-handed tactics from an earlier era, thus negating all the hard work of Minister Shaikh Rashid bin Abdullah Al Khalifa to promote openness and tolerance. Al Yousif writes that security forces are "essentially acting as a thug against any and all public demonstrations, hiding behind a law that is directly at odds with international human rights covenants that the Kingdom has legally adopted. I hope it is not too late for the Minister to take control of his Ministry again by demonstrating the same civic spirit" as he had done earlier.

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Comment  
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¶13. (C) After a period of a few months of relative calm in Bahrain, small scale clashes between Shia youth and security forces resumed, at least for a few days. The violence in Bahrain comes and goes in cycles, and hardliners within the Shia community will continue to push the envelope, seeing how far they can go and seeking to provoke a harsh government response. Complicating the picture on the Shia side is the ongoing competition for the loyalty of the community between Al Wifaq, which chose to join the political system, and the Haq Movement, which remains an outside force. Similarly, on the government side, there are those who support the King's conciliatory gestures to the Shia, but many others are critical and would prefer a more forceful crackdown. The law-and-order supporters probably believe the King will run out of patience with the Shia at some point, or that the people around the King will convince him to act more forcefully. How this plays out remains to be seen, and likely depends to a great extent on Al Wifaq's success in demonstrating that its decision to join the parliament is bringing positive results to the Shia, and the ability or willingness of the government to give Al Wifaq enough to claim success.

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